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THUNDER PROPERTIES, INC.  
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9 UNITED STATES DISTRICT COURT  
10 DISTRICT OF NEVADA

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12 U.S. BANK TRUST, N.A., AS TRUSTEE FOR )  
LSF9 MASTER PARTICIPATION TRUST, )

13 )  
14 Plaintiff, )

Case No. 3:17-cv-00011-HDM-VPC

15 vs. )

16 THUNDER PROPERTIES, INC.; )  
ESPLANADE AT DAMONTE RANCH )  
17 HOMEOWNERS ASSOCIATION; ATC )  
ASSESSMENT COLLECTION GROUP, LLC, )

18 Defendants. )  
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20 **STIPULATION AND ORDER TO DISMISS**

21 COMES NOW Plaintiff, U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9  
22 MASTER PARTICIPATION TRUST ("*U.S. Bank*"), and Defendant, THUNDER  
23 PROPERTIES, INC. ("*Thunder*"), by and through their undersigned counsel, and hereby  
24 stipulate and agree as follows:

- 25 1. Thunder and U.S. Bank have entered into a settlement agreement resolving the  
26 instant action as between themselves in its entirety. The specific terms of the  
27 settlement are confidential but involve the payment of a sum of money by  
28 Thunder in exchange for the release and reconveyance of the security interest that

U.S. Bank claims to hold in the real property at issue herein.

2. U.S. Bank's claims against Co-Defendant, ESPLANADE AT DAMONTE RANCH HOMEOWNERS ASSOCIATION, were previously dismissed pursuant to an Order dated July 27, 2017 [ECF #22].
3. Co-Defendant, ATC ASSESSMENT COLLECTION GROUP, LLC ("ATC"), has neither answered nor appeared herein. U.S. Bank hereby voluntarily dismisses its claims against ATC without prejudice pursuant to Fed. R. Civ. P. 41(1)(A)(ii).
4. U.S. Bank's claims against Thunder shall be dismissed with prejudice in their entirety.
5. U.S. Bank and Thunder shall each bear their own attorneys' fees and costs incurred herein.
6. All claims at issue in this matter having been resolved, the instant action shall be closed.

Dated this 6<sup>th</sup> day of June, 2019.

ROGER P. CROTEAU &  
ASSOCIATES, LTD.

WRIGHT, FINLAY & ZAK, LLP

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U.S. Bank Trust, N.A.**

**IT IS SO ORDERED.**

By: Howard D. McKibben  
Judge, U.S. District Court

Dated: June 7, 2019